1.   This is the answer to a telephone call in 10/2008 from Mr. Timothy D. MacIntyre for

another Non-Final Office Action because the Office Action mailed on 9/05/2008 is unclear.

2.   Claims 1-14 are pending in this application wherein claims 1-12 are elected for

examination, and claims 13-14 are withdrawn.

Priority

3.   Applicants claim a foreign filing priority of 17 Oct. 2003 (a Japanese document).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form

the basis for the rejections under this section made in this Office action:
A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use

or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-4, and 8 are rejected under 35 U.S.C. § 102(b) as being anticipate by Atsushi

Ikeda (US Pub. 2002/0186298).

Ikeda teaches:

A. <u>As to claims 1, and 8</u>: A computer-implemented method, comprising:

- a step of obtaining corresponding points from images of said cameras having different

capturing times (see Ikeda, the abstract lines 8-9);

- a step of obtaining (calculating/computing) movable objects using corresponding points,

assuming a predetermined plane (i.e., using ref. coordinates of a predetermined plane) (see Ikeda,

para. [0007] and [0012]);

and

- a step of obtaining/calculating/computing a second motion indicating the motion of the mobile

body using a first motion (i.e., using available/obtained /initial information/data, and

corresponding points) (see Ikeda, claims 1, and 4).

B. <u>As to claim 2</u>: Ikeda performs a calculation step for/using a road surface (see Ikeda, FIG. 1).

C. <u>As to claim 3</u>: Ikeda performs a calculation step using three points to obtain a 3D coordinate

(see Ikeda, para. [0007] and [0028]).

D. <u>As to claim 4:</u> Ikeda performs a calculation step to update current plan expression (e.g., for a

different elevation value) wherein a <u>first</u> motion calculation step uses previous values (i.e.,

coordinates or distance or velocity - see Ikeda, para. [0007] and [0028]).

<div align="center">Conclusion</div>

5.   Claims 1-4, and 8 are not patentable

        Claims 5-7, 9-12 are objected because they are dependent on rejected claims.

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759

(email address: cuong.nguyen@uspto.gov). The examiner can normally be reached on 9:30 am -

5:30 pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for

the organization where this application is assigned is 571-273-6956.

        Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please provide support, with page and line numbers, for any amended or new claim in

an effort to help advance prosecution; otherwise any new claim language that is introduced in

an amended or new claim may be considered as new matter, especially if the Application is a

Jumbo Application.

/CUONG H. NGUYEN/
Primary Examiner
Art Unit 3661